

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

JAMES E. SHELTON

Plaintiff,

v.

DOT Compliance Services, LLC

and

Christian Perales

Defendants.

Case No.

2:24-CV-02140-WB

JURY TRIAL DEMANDED

**DECLARATION OF JAMES E. SHELTON
IN SUPPORT OF MOTION FOR DEFAULT JUDGMENT**

1. My name is James E. Shelton. I am over 18 years old. I can testify competently to the undersigned statements.

2. My residential, telephone number is 215-XXX-XXXX is on the National Do-Not-Call Registry and had been for at least 31 days prior to the calls in this action.

3. That number is a cellular telephone number.

4. The number is a private, residential number used for personal, family, and household purposes.

5. In anticipation of the attached Motion for Default Judgment, I have reviewed my telephone billing records for the number. I have identified the four calls placed using a prerecorded voice, as more fully outlined in the Complaint. These records are highlighted in Exhibit A to this Declaration.

6. However, three of the calls, on January 19, 2024, February 14, 2024, and March 21, 2024 were not pled in the Complaint because each of these calls went to voicemail and I did

not ascertain that the Defendant placed the calls until I received the results of Commio's production.

7. I no longer possess recordings of those voicemails because I periodically delete unwanted voicemails, but allege that these voicemails would have played the same or substantially similar recording, based on the best of my recollection.

8. Based on my calling records, and the records produced by Commio, I allege seven violations of 47 U.S.C. § 227(b)(1)(A)(iii). Accordingly, I am entitled to \$10,500 in statutory and treble damages based on these violations.

9. I am requesting a default judgment be entered in my favor in the amount of \$10,905, representing the sum of the filing fee, and the statutory damages.

10. The corporate Defendant in this action, is a corporation and is therefore not an infant, incompetent person, or in the military service of the United States.

11. The individual Defendant in this action, Christian Perales, is a business owner, and I have no reason to believe he is either an infant nor an incompetent person. Moreover, Mr. Perales is not currently in the military service of the United States.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 31st day of March, 2025 at Pennsylvania,

James E. Shelton
James E. Shelton (Mar 31, 2025 19:38 EDT)

James E. Shelton

timestamp	method	from_did	to_did	lrn	time	account_id	srcip	switchip	duration
1/19/2024	INVITE	13127481271	1215 [REDACTED]	12672051201	1/19/2024 16:27	22458	18.218.81.31	192.81.236.55	48
2/14/2024	INVITE	13127481271	1215 [REDACTED]	12672051201	2/14/2024 15:29	22458	54.84.103.114	192.81.236.54	47
3/11/2024	INVITE	13127481271	1215 [REDACTED]	12672051201	3/11/2024 18:04	22458	3.18.217.236	192.81.236.53	72
3/21/2024	INVITE	13127481271	1215 [REDACTED]	12672051201	3/21/2024 19:33	22458	18.218.81.31	192.81.236.54	48
4/10/2024	INVITE	13127481271	1215 [REDACTED]	12672051201	4/10/2024 14:53	22458	54.84.103.114	192.81.236.52	72
4/24/2024	INVITE	13127481271	1215 [REDACTED]	12672051201	4/24/2024 17:18	22458	3.18.217.236	192.81.236.57	72
5/1/2024	INVITE	13127481271	1215 [REDACTED]	12672051201	5/1/2024 19:34	22458	3.18.217.236	192.81.236.57	72